

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: GENE CHARLES VALENTINE TRUST, Debtor.	Bankruptcy No. 5:16-bk-01196 Chapter 11 Judge Patrick M. Flatley
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NOTICE OF APPEARANCE AND REQUEST FOR NOTICE

PLEASE TAKE NOTICE that Arch W. Riley, Jr. and the law firm of Bernstein-Burkley, P.C. appear as the attorneys for U.S. Bank National Association, as Trustee for the Registered Holders of Morgan Stanley Capital I Inc., Commercial Pass-Through Certificates, Series 2006-TOP21, by and through CIII Asset Management, LLC (the “*Creditor*”), pursuant to sections 102(1), 342 and 1109(b) of title 11 of the United States Code (the “*Bankruptcy Code*”) and Fed.R.Bankr.P. 9010(b), and pursuant to Fed.R.Bankr.P. 2002, 3017 and 9007 and sections 342 and 1109(b) of the Bankruptcy Code hereby request that all notices given or required to be given and all papers served in this case be delivered to and served upon the person identified below at the following address:

Arch W. Riley, Jr., Esquire
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Post Office Box 430
Wheeling, WV 26003-0009
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PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in the specified the Federal Rules of Bankruptcy Procedure, but also includes notices of any application, complaint, demand, hearing, motion, petition, pleading, or request, whether formal or informal, written, or oral, and whether transmitted or conveyed by mail, delivery, telephone, telecopy, telegraph, telex, or otherwise filed or made with regard to the above-captioned bankruptcy case and all proceedings in the above-captioned bankruptcy case. In addition, it is requested that Arch W. Riley, Jr., attorney for the Creditor, be added to the master mailing list in this case.

PLEASE TAKE FURTHER NOTICE that this *Notice of Appearance and Request for Notices* is not (a) a waiver or release of the Creditor's rights against any person, entity or property; (b) a consent by the Creditor to the jurisdiction of this Court with respect to this case or other cases, if any, commenced in this case against or otherwise involving the Creditor; (c) a waiver or release of the Creditor's right to trial by jury as to any and all matters so triable herein or in other matters or proceedings, if any, commenced in the case against or otherwise involving the Creditor or in any case, controversy or proceeding related hereto, whether or not the same be designated legal or private rights and notwithstanding the designation or not of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2), and whether such jury trial right is pursuant to statute or the United States Constitution; (d) a waiver or release of the Creditor's right to have any and all final orders in any and all non-core matters or proceedings entered only after *de novo* review by a United States District Court Judge; (e) a waiver of the right to move to withdraw the reference in any proceeding which may be commenced in this case against or otherwise involving the Creditor; or (f) an election of remedy.

Dated: November 29, 2016

BERNSTEIN-BURKLEY, P.C.

By: /s/ Arch W. Riley, Jr.

Arch W. Riley, Jr. (WVSB # 3107)

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Attorneys for U.S. Bank National
Association, as Trustee for the Registered
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